

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN ADJUSTMENT OF GAS AND ELECTRIC RATES)	
OF THE UNION LIGHT, HEAT AND POWER)	CASE NO. 90-041
COMPANY)	

O R D E R

On May 18, 1990, The Union Light, Heat and Power Company ("ULH&P") filed objections to certain data requests propounded by the Attorney General's Office, Utility and Rate Intervention Division ("AG"), and by Brenda Freeman. The objections are based on the grounds that the information requests are overbroad, oppressive, and burdensome to comply with or are not directed towards material that is relevant or likely to lead to relevant information to this case.

On June 1, 1990, the AG filed a motion requesting the Commission to compel ULH&P to respond to its information request Nos. 7, 9, 10, 11, 20, 22, 23, 35, 39, 47, 53, 67, and 89. The AG further requests that its motion be ruled on without a hearing and that the Commission extend the due dates for all remaining steps in the procedural schedule. On June 7, 1990, ULH&P filed a memorandum in opposition to the AG's motion to compel.

On June 4, 1990, Brenda Freeman filed a response to ULH&P's objections. The response clarifies certain information requests, withdraws three requests, and seeks enforcement of its information

requests Set I, Nos. 37, 38, and 52; Set II, Nos. 52-54, 82, 95, 98, and 103; and Set IV, No. 2(b).

Based on the objections and responses thereto, the Commission hereby finds that ULH&P should respond to each of the above enumerated information requests of the AG except as specified below:

1. AG No. 7. ULH&P does not maintain its records in the format requested and the comparison requested does not exist. Therefore, ULH&P's objection is sustained.

2. AG No. 9. ULH&P should provide the list of each charge to Account 923 as requested but need not provide the vouchers, invoices, journal entries, or other documentation since this request is overly broad, oppressive and burdensome, but the information should be made available for inspection at ULH&P's offices.

3. AG No. 10. ULH&P should provide a list of each charge to Account 921 but need not provide such a list for Account 930 since that information has already been provided in the record. In addition, ULH&P need not provide vouchers, invoices, journal entries, or other documentation since this request is overbroad, oppressive, and burdensome, but this information should be made available for inspection at ULH&P's offices.

4. AG No. 11. ULH&P should provide a list, in as much detail as is readily available, describing the facility, location, or asset included in Account 931 and provide the test year rental expense for each item so identified.

5. AG No. 20. ULH&P has provided substantial information in the record of its employee wage levels and the request for specific information on each of ULH&P's employees is overbroad, oppressive, and burdensome. The requested information should be made available for inspection at ULH&P's offices.

6. AG No. 22, 47a, 47e, 47s, 47x, 47ab, 53j, 53l, 53m, and 53q. ULH&P should provide the information as requested but need not provide invoices, documentation, or copies of journal entries since these requests are overbroad, oppressive, and burdensome. The invoices, documentation, or copies of journal entries should be made available for inspection at ULH&P's offices.

7. AG No. 23. The Commission interprets this item to request a comparison of increases between the year ended December 31, 1988 and the test year. ULH&P should provide the information as requested.

8. AG No. 35. ULH&P does not maintain the information requested and the request is overbroad, oppressive, and burdensome. Therefore, ULH&P's objection is sustained.

9. AG No. 39. ULH&P should provide the information requested relating to payments made for employee gifts, employee awards, and employee picnics, but need not provide any invoices since the request is overbroad, oppressive, and burdensome. ULH&P should make the invoice available for inspection at its offices.

10. AG No. 47h and 53b. ULH&P should provide the information requested except for the documentation requested in subparts 1). The requests to provide documentation is overbroad,

oppressive, and burdensome, but the documentation should be made available for inspection at ULH&P's offices.

11. AG No. 47v. ULH&P should provide a schedule listing each charge to Account 5928-30 that exceeds \$1,000 and reference the specific regulatory proceeding to which each such charge relates. The request to provide invoices is overbroad, oppressive, and burdensome, but the invoices should be made available for inspection at ULH&P's offices.

12. AG No. 53k. For each charge to Account 4926-5 which exceeds \$500, ULH&P should provide a schedule listing the name of each payee and the amount of the charge. The request for invoices and other documentation is overbroad, oppressive, and burdensome, and need not be provided, but should be made available for inspection at ULH&P's offices.

13. AG No. 67. The requested information relating to all plant additions since December 31, 1984 which exceed \$10,000 is overbroad, oppressive, and burdensome and need not be provided, but should be made available for inspection at ULH&P's offices.

14. AG No. 89a and b. The request for detailed information relating to the trial balance is overbroad, oppressive, and burdensome and need not be provided, but should be made available for inspection at ULH&P's offices.

The AG's request for an extension of time for each step in the procedural schedule is not supported by any factual or legal grounds. The Commission recognizes that ULH&P has timely responded to in excess of 150 information requests propounded by

the AG. Therefore, good cause has not been shown to modify the existing procedural schedule.

The Commission further finds that ULH&P should respond to each of the above enumerated information requests propounded by Brenda Freeman except that ULH&P's obligation to respond to Set IV, No. 2(b), may be suspended if a timely petition for confidentiality is filed pursuant to 807 KAR 5:001, Section 7.

IT IS THEREFORE ORDERED that:

1. ULH&P shall provide by June 18, 1990 responses, to the extent indicated by the above findings, to the information request propounded by the AG and Brenda Freeman.

2. The AG's request for an extension of the procedural schedule be and it hereby is denied.

Done at Frankfort, Kentucky, this 8th day of June, 1990.

PUBLIC SERVICE COMMISSION


For the Commission

ATTEST:


Executive Director